



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,862	02/20/2004	Kazuhiro Fujimaki	Q80021	4469

7590 04/18/2006

SUGHRUE MION, PLLC  
2100 Pennsylvania Avenue, NW  
Washington, DC 20037-3213

EXAMINER
----------

LEE, SIN J

ART UNIT	PAPER NUMBER
----------	--------------

1752

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/781,862	FUJIMAKI, KAZUHIRO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sin J. Lee	1752	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-15 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. Applicants canceled claims 16 and 17.
2. In view of applicants' argument, the term "monovalent substituent" appeared in present claims is interpreted by the Examiner *to exclude a hydrogen atom*.
3. In view of the certified English translation of applicants' priority document, JP 2003-194852 (filed on July 10, 2003), previous 102(a) rejection on claims 1-5 and 7-17 over Goto et al (EP'232) is hereby withdrawn.
4. In view of the amendment, previous 102(b) rejection on claims 1-5 and 7-17 over Timpe et al'564 is hereby withdrawn.
5. Due to new grounds of rejections, the following rejections are made non-final.

### ***Claim Rejections - 35 USC § 102***

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
7. Claims 1-5, 7-10 and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hauck et al (US 6,309,792 B).

In Comparative Example 1, Hauck teaches a composition containing dipentaerythritol pentaacrylate (present component (C)), 2-(4-methoxyphenyl)-4,6-bis(trichloromethyl)s-triazine (present component (B)), copper phthalocyanine pigment (present component (D)) and *alkylammoniumborate*. Hauck applies the composition onto an aluminum substrate. In his Comparative Example 2, Hauck repeats his Comparative Example 1 except that instead of the *alkyl ammonium borate*, the same

Art Unit: 1752

amount of N-phenylglycine ( $\text{C}_6\text{H}_5\text{-NH-CH}_2\text{COOH}$ ) is used. Therefore, Hauck teaches present inventions of claims 1, 2, 4, 5, 7-10 and 13-15.

8. Claims 1-5 and 7-15 are rejected under 35 U.S.C. 102(a) as being anticipated by Munnelly et al (WO 03/041962 A1).

In Example 7 (see pg.39 and 40 and see also Example 1), Munnelly teaches a composition containing a multi-functional acrylic monomer (present component (C)), 2-(4-methoxyphenyl)-4,6-bis(trichloromethyl)-2-triazine (present component (B)), an IR absorbing dye (present component (D)), and (2-methoxyphenoxy)acetic acid ( $\text{CH}_3\text{O-C}_6\text{H}_4\text{-OCH}_2\text{COOH}$ ). Munnelly applies such composition onto an aluminum substrate. Therefore, Munnelly teaches present inventions of claims 1, 2, 4, 5, 7 and 11-15 (claim languages of present claims 11 and 12 do not require  $\text{X}^1$  of claim 7 to be  $-\text{N}(\text{R}^3)-$ . Also, claim language of present claim 13 does not require  $\text{R}_1$  and  $\text{R}_2$  of claim 7 to be a monovalent substituent).

Also, in Example 5, Munnelly teaches a composition containing a multi-functional acrylic monomer (present component (C)), 2-(4-methoxyphenyl)-4,6-bis(trichloromethyl)-2-triazine (present component (B)), an IR absorbing dye (present component (D)), and N-phenylglycine ( $\text{C}_6\text{H}_5\text{-NH-CH}_2\text{COOH}$ ). Munnelly applies such composition onto an aluminum substrate. Therefore, Munnelly teaches present inventions of claims 1, 2, 4, 5, 7-10 and 13-15 as well.

#### ***Allowable Subject Matter***

9. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base

Art Unit: 1752

claim and any intervening claims. None of the cited prior arts teaches or suggests present compound of claim 6.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sin J. Lee whose telephone number is 571-272-1333. The examiner can normally be reached on Monday-Friday from 9:00 am EST to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*S. J. Lee*

S. Lee  
April 14, 2006

*Sin J. Lee*  
**SIN LEE**  
**PRIMARY EXAMINER**